

REMARKS

The Application has been carefully reviewed in light of the Office Action dated January 3, 2005. Claims 1 to 14 and 24 are in the application, of which Claims 1 and 24 are independent. Claims 15 to 23 and 25 to 52 are being canceled without prejudice or disclaimer of the subject matter. Claims 1 and 24 are being amended. Reconsideration and further examination are respectfully requested.

Claims 1 to 9, 11 to 14, 16 to 27, 29 to 37 and 39 to 52 are rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 5,826,244 (Huberman), U.S. Patent No. 6,324,521 (Shiota), U.S. Patent No. 6,657,702 (Chui) and Derwent-Acc-No. 2000-072115 (Tannenbaum), Claims 10 and 28 are rejected under 35 U.S.C. § 103(a) over Huberman, Shiota, U.S. Patent No. 5,974,401 (Enomoto), Chui and Tannenbaum, and Claims 15 and 38 are rejected under 35 U.S.C. § 103(a) over Huberman, Shiota, Chui, Tannenbaum and U.S. Patent No. 5,918,207 (McGovern). Reconsideration and withdrawal of the rejections are respectfully requested.

Without conceding the correctness of their rejection, Claims 15 to 23 and 25 to 52 are being canceled, rendering their rejection moot.

The present invention concerns a market place, in which a market portal collects and pre-stores, independent of an order by a customer, market information including products, services and pricing information from a service provider, and selection criteria from an interactive shop. The selection criteria is edited using a selection criteria interface which comprises a listing of a plurality of categories for selection of service providers and possible input. The market portal uses the market information and the

selection criteria to establish an agreement between an interactive shop and one or more service providers. The interactive shop offers products and services via a graphical user interface, which is used by its customers to order products and services offered by the interactive shop.

By virtue of the above arrangement, selection criteria, which is editable using a selection criteria interface, is used to select service providers that provide products and services to customers of an interactive shop, which offers the products and services to the customers.

Turning to the specific language of the claims, Claim 1 defines a method of creating, via a network, a print market place, in which a market portal gathers information from a service provider and an interactive shop to create a relationship between the service provider and the interactive shop, and the interactive shop offers products and/or services to its customers. The market portal collects market information comprising an identity of service providers and the print services and pricing provided by each of the service providers. The market portal stores the market information. The market portal obtains criteria established by an interactive shop for selecting service providers to provide the print services, wherein the criteria is edited using a selection criteria interface which comprises a listing of a plurality of categories for selection of service providers and possible input. The market portal selects one or more service providers identified using the market information to provide the set of print services based on the criteria and the market information. The interactive shop offers products and services to its customers via a graphical user interface by which a customer of the interactive shop orders products and

scrvices offered by the interactive shop.

Among the features of the present invention, the market portal collects and stores market information, which includes print services and pricing information from a service provider and obtains selection criteria from an interactive shop for selecting service providers to provide print service, wherein the print services and pricing information and the selection criteria is obtained independent of an order by a customer, and the market portal selects one or more service providers identified using the stored market information to provide the set of print services based on the criteria and the market information. The selection criteria is edited using a selection criteria interface which comprises a listing of a plurality of categories for selection of service providers and possible input.

In response to Applicants' previous amendments and remarks, the Office Action stated, at page 1, that certain of the claimed features were "not critical to the invention", and alleged that these features are obvious, without any reference whatsoever to the applied art to support such an allegation. The Office Action then ignored these claimed features in entering its rejection of the claims. In fact, the detailed grounds for rejecting Claim 1, for example, has not been substantively changed from previous Office Actions. Applicants respectfully submit that such a position is improper, since it fails to take account of the claimed invention as a whole, as required under MPEP § 2141.02, and further fails to satisfy the requirements of a *prima facie* case of obviousness per MPEP § 2141 et. seq.

The applied art, namely Huberman, Shiota, Chui and Tannenbaum, is not

seen to show the claimed features. More particularly, the applied art, when taken alone or in any permissible combination is not seen to show a market portal collecting and storing market information, which includes print services and pricing information from a service provider, and obtaining selection criteria from an interactive shop for selecting service providers to provide print service, wherein the print services and pricing information and the selection criteria is obtained independent of an order by a customer, and the market portal selecting one or more service providers identified using the stored market information to provide the set of print services based on the criteria and the market information. In addition, the applied art is certainly not seen to show editing selection criteria using a selection criteria interface which comprises a listing of a plurality of categories for selection of service providers and possible input.

Enomoto has also been reviewed and is not seen to remedy the deficiencies noted with respect to Huberman, Shiota, Chui and Tannenbaum.

Therefore, for at least the foregoing reasons, Claim 1 is believed to be in condition for allowance. Further, Applicants submit that Claim 24 is believed to be in condition for allowance for at least the same reasons.

The other claims are each dependent from the independent claims discussed above and are therefore believed patentable for the same reasons. However, because each dependent claim is also deemed to define additional aspects of the invention, such aspects including the interaction of the features of the dependent claims with the features of their base claims, individual consideration of each on its own merits is respectfully requested.

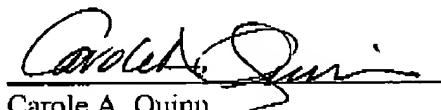
In this regard, with reference to Claims 10 and 28, the Office Action

concedes that Enomoto fails to disclose associating a level of satisfaction with a service provider. However, the Office Action contends, without making any reference to the art, that association of a level of satisfaction with a service provider would have been obvious. However, the Office Action fails to provide any documentary evidence to support its position, and further fails to address the interaction of the features recited in the dependent claims with the features of their base claims. Accordingly, the rejection of these claims is believed to be deficient, and withdrawal of the rejection is therefore respectfully requested.

In view of the foregoing, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should be directed to our address given below.

Respectfully submitted,

  
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